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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Edgar Beck et al.
FOR : **METHOD AND DEVICE FOR COOLING
CIRCULATING AIR**
SERIAL NO. : 10/536,614
FILED : January 19, 2006
EXAMINER : Unknown
ART UNIT : 3753
CONFIRMATION NO. : 2270
ATTORNEY DOCKET NO. : **ZHHZ 2 00021**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO/SB/08 Form (renumbered from 1449) is enclosed.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office." Therefore, Applicant(s) has (have) not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

☒ Under § 1.98(a)(3), a concise explanation of relevance is required only for information that is not in the English language. Accordingly, the English language documents have no further explanation.

Document AM, German Patent No. DE 43 28 930 A1, pertains to a heat exchanger including an evaporation section 1 having a number of air passages 12 which are in reciprocal action with a heat exchange surface 8. The heat exchange surface includes a non-woven fabric 11 with a number of vertical sections 9 that are arranged in waves. Passages for the air to be cooled are formed between the sections. Separator pieces 14 are fitted into the passages. An evaporation section has a dripping vat 18 above the exchange surface and there is a tank 15 for the fluid below it.

Document AO, German Patent No. DE 195 19 511 A1, pertains to a heat exchanger that has two heat transfer surfaces with flow and counter flow channels between them formed by a hollow plate 12. The hollow plate is composed of extruded or forged hollow profile plates of plastic or metal. Separating webs 32 bound several of the flow channels 16 between side walls 18.

☒ All of the cited and/or included documents were cited by the German Patent Office in a related application(s). A copy of the German Search Report is enclosed.

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

☐ WITHIN THREE MONTHS OF FILING: Under § 1.97(b)(1), this Information Disclosure Statement is being filed within three months of the filing date of the application (or date of entry of the national stage). Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☒ BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH STATEMENT:** Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

☐ **BEFORE FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/WITH FEE:** Under § 1.97(c)(2), this information shall be considered if filed before the mailing date of a final action if accompanied by a fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **AFTER FINAL ACTION, OR NOTICE OF ALLOWANCE, OR ACTION THAT CLOSES PROSECUTION/AND ON OR BEFORE PAYMENT OF THE ISSUE FEE:**

1. Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☐ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated

in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

2. ☐ the fee in the amount of \$180.00 as required by §1.17(p). Accordingly, the necessary fee accompanies this Information Disclosure Statement, as set forth below.

☐ **PRIORITY CLAIM:** The enclosed PTO/SB/08 includes all patents, publications, or other information previously cited by or submitted to the Office in one or more prior applications from which the present application claims priority. These one or more prior applications are identified in the papers accompanying the filing of this application.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card (PTO form 2038 enclosed). **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.** If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY SHARPE LLP

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February 2, 2007

Date

The PTO did not receive the following
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CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop None, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: <u>Kathleen A. Nimrichter</u>
Date: February 2, 2007	Name: Kathleen A. Nimrichter



Substitute for form 1449A/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT(S)**

Application Number	10/536,614
Filing Date	January 19, 2006
First Named Inventor	Edgar Beck
Art Unit	3550 1797
Examiner Name	Unknown Bushey
Attorney Docket No.	ZHHZ 2 00021

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
/CSB/	AA	US-4,910,971	03-27-1990	McNab
	AB	US-		
	AC	US-		
	AD	US-		
	AE	US-		
	AE	US-		
	AG	US-		
	AH	US-		
	AI	US-		
	AJ	US-		
	AK	US-		
	AL	US-		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
/CSB/	AM	DE-43 28 930 A1	03-02-1995	Wulfing und Hauck GmbH	<input type="checkbox"/>
/CSB/	AN	WO 97/30315	08-21-1997	Pen Bryn Investments Ltd. (English Text)	<input type="checkbox"/>
/CSB/	AO	DE 195 19 511 A1	12-07-1995	Tjiok	<input type="checkbox"/>
	AP				<input type="checkbox"/>

OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AQ		<input type="checkbox"/>
	AR		<input type="checkbox"/>
	AS		<input type="checkbox"/>
	AT		<input type="checkbox"/>
	AU		<input type="checkbox"/>

Examiner
Signature

/Charles Bushey/

Date
Considered

11/23/2008